

Exhibit B

Date Mailed: March 11, 2004

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Filing Date: July 30, 2001

Application No.: 09/919,567

Docket No.: 21790-08920

Applicant(s): John J. Dooley *et al.*

Title: METHOD AND SYSTEM FOR MANAGING SUPPLY CHAIN NETWORKS

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☐ ___ pages of Specification, Claims & Abstract

☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).

☐ ___ sheets of formal drawings

☐ Provisional Application Cover Sheet

☐ Response to Notice Of Missing Parts

☐ New Utility Application Transmittal

☐ Request for Corrected Filing Receipt

☐ Transmittal

☐ Request for Correction of Recorded Assignment

☒ Fee Transmittal (in duplicate)

☐ Declaration

☐ IDS, PTO/SB/08A, and cited references

☐ Assignment & Recordation Cover Sheet

☐ Issue Fee Transmittal

☐ Power of Attorney

☐ Letter to Chief Draftsperson

☒ RCE Transmittal

☐ Formal Drawings: ___ sheets

☐ Application Data Sheet

☐ Request for Certificate of Correction

☒ Check in the amount of \$ 385.00

☐ Notice of Appeal

☒ Response and Request for Continued Exam.

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21790/01000/DOCS/1419242.1



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21790-08920

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:

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Application Number	09/919,567
Filing Date	July 30, 2001
First Named Inventor	John J. Dooley
Group Art Unit	3627
Examiner Name	Michael A. Cuff
Attorney Docket Number	21790-08920

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-entitled application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☒ Return Postcard
- c. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 19-2555
- ☒ Fee Transmittal Enclosed (in duplicate)
- ☒ Check in the amount of \$ 385.00 enclosed

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Dorian Cartwright	Registration No. (Attorney/Agent)	53,853
Signature	<i>Dorian Cartwright</i>	Date	March 11, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

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Signature	<i>Dorian Cartwright</i>	Date	March 11, 2004
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FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ **385.00**)

Complete if Known

Application Number	09/919,567
Filing Date	July 30, 2001
First Named Inventor	John J. Dooley
Examiner Name	Michael A. Cuff
Art Unit	3627
Attorney Docket No.	21790-08920

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None
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Deposit Account Name **Fenwick & West LLP**

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FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
22	23**	0	9
4	4**	0	43
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	385
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

SUBTOTAL (3) (\$ **385**)

SUBMITTED BY

Name (Print/Type)	Dorian Cartwright	Registration No. (Attorney/Agent)	53,853	Complete (if applicable)
Signature	<i>Dorian Cartwright</i>	Date	March 11, 2004	
				Telephone (650) 335-7247

FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 385.00

Complete if Known

Application Number	09/919,567
Filing Date	July 30, 2001
First Named Inventor	John J. Dooley
Examiner Name	Michael A. Cuff
Art Unit	3627
Attorney Docket No.	21790-08920

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None
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4	-4** = 0	43	0

Large Entity		Small Entity		Fee Description
Code	Fee (\$)	Code	Fee (\$)	
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1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

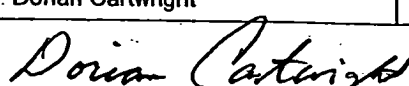
Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
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1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

SUBTOTAL (3) (\$)

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

Name (Print/Type)	Dorian Cartwright	Registration No. (Attorney/Agent)	53,853	Complete (if applicable)	Telephone (650) 335-7247
Signature				Date	March 11, 2004

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANT: John J. Dooley, *et al.*
SERIAL NO.: 09/919,567
FILING DATE: July 30, 2001
TITLE: METHOD AND SYSTEM FOR MANAGING SUPPLY CHAIN NETWORKS
EXAMINER: Michael A. Cuff
GROUP ART UNIT: 3627
ATTY. DKT. NO.: 21790-08920

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Dated: March 11, 2004

By:

Dorian Cartwright

Dorian Cartwright, Reg. No. 53,853

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AMENDMENT AND RESPONSE BAND REQUEST FOR CONTINUED EXAMINATION
UNDER 37 C.F.R § 1.114

SIR:

Applicants hereby request continued examination following the Final Office Action dated December 11, 2003, which set a shortened statutory period for response that expires March 11, 2004.

Kindly amend this application as indicated herein.

IN THE CLAIMS

Claims 1-23 are cancelled. Claims 24-45 are added.

1 24. (New) A system in a supply chain network, the system
2 comprising:
3 one or more site data appliances comprising one or more types of data source
4 equipment, the one or more site data appliances using a protocol to collect
5 specification information, including event information, from the one or
6 more types of data source equipment;
7 one or more site servers coupled to one or more site data appliances to gather the
8 specification information from the one or more site data appliances; and
9 a data center coupled to the one or more site servers to generate a mapping of the
10 event information to event handlers for execution in response to an event.

1 25. (New) The system of claim 24, wherein the data center sends the
2 mapping of the event information to the one or more site servers.

1 26. (New) The system of claim 24, wherein the one or more site
2 servers generate a Description Document, comprising the specification information of the
3 one or more types of data source equipment, using extensible markup language (XML).

1 27. (New) The system of claim 26, further comprising a portable
2 device coupled with the one or more site servers to access an instance of the Description
3 Document.

1 28. (New) The system of claim 24, wherein the specification
2 information further comprises method and property information.

1 29. (New) The system of claim 28, wherein a dotted notation is used
2 to identify the event, method and property information.

1 30. (New) The system of claim 24, wherein communications between
2 the one or more types of data source equipment, the one or more site data appliances and
3 the one or more site servers utilize the Universal Data Appliance Protocol (UDAP).

1 31. (New) A method in a supply chain network, the method
2 comprising the steps of:
3 collecting specification information, including event information, from one or
4 more types of data source equipment at one or more site data
5 appliances using a protocol;
6 gathering the specification information from the one or more site data
7 appliances at one or more site servers; and
8 mapping the event information of the one ore more data appliances to event
9 handlers for execution in response to an event.

1 32. (New) The method of claim 31, further comprising the step of
2 sending the mapping of the event information to the one or more site servers.

1 33. (New) The method of claim 31, further comprising the step of
2 generating a Description Document comprising the specification information of the one
3 or more data source equipment, using extensible markup language (XML).

1 34. (New) The method of claim 33, further comprising accessing an
2 instance of the Description Document with a portable device.

1 35. (New) The method of claim 31, wherein the specification
2 information further comprises method and property information.

1 36. (New) The system of claim 35, further comprising the step of
2 using a dotted notation to identify the event, method and property information.

1 37. (New) The method of claim 31, wherein the step of collecting
2 specification information and gathering the specification information utilizes the
3 Universal Data Appliance Protocol (UDAP).

1 38. (New) A method in a supply chain network, comprising:
2 creating a Description Document comprising specification information from
3 one or more types of data source equipment using extensible markup
4 language (XML), the specification information comprising
5 information about events that each of the one or more types of data
6 source equipment is capable of generating;
7 sending the Description Document to a data center, wherein the data center
8 maps events with event handlers to create a dispatch table; and
9 sending the dispatch table to a site server associated with the one or more
10 types of data source equipments; and
11 executing an event handler responsive to receiving an event generated by the
12 one or more types of data source equipment.

1 39. (New) A computer program product, comprising:
2 a computer-readable medium having computer program logic embodied
3 therein for, in a supply chain network:
4 collecting specification information, including event information, from
5 one or more types of data source equipment at one or more site
6 data appliances using a protocol;
7 gathering the specification information from the one or more site data
8 appliances at one or more site servers; and
9 mapping the event information of the one or more data appliances to
10 event handlers for execution in response to an event.

1 40. (New) The computer program product of claim 39, further
2 comprising the step of sending the mapping of the event information to the one or more
3 site servers.

1 41. (New) The computer program product of claim 39, further
2 comprising the step of generating a Description Document comprising the specification
3 information of the one or more types of data source equipment, using extensible markup
4 language (XML).

1 42. (New) The computer program product of claim 41, further
2 comprising accessing an instance of the Description Document with a portable device.

1 43. (New) The computer program product of claim 39, wherein the
2 specification information further comprises method and property information.

1 44. (New) The computer program product of claim 43, further
2 comprising the step of using a dotted notation to identify the event, method and property
3 information.

1 45. (New) The computer program product of claim 39, wherein the
2 step of collecting specification information and gathering the specification information
3 utilizes the Universal Data Appliance Protocol (UDAP).

REMARKS

Claims 1-23 were presented for examination. In an Final Office Action dated December 11, 2003, claims 1-23 were rejected. Claims 1-23 are herein cancelled. Claims 24-45 are herein added. Note that claims 24-45 have been redrafted for clarity while maintaining similar features to claims 1-23. Such claims add no new matter. Applicants thank Examiner for examination and, Applicants now respectfully request reconsideration in light of the below remarks and allowance of claims 24-46.

In paragraph 2, Examiner rejects claims 1-23 under 35 U.S.C. § 103(a) as being anticipated by Cesar *et al.* (U.S. Patent No. 6,172,596) in view of Johnson *et al.* (U.S. Patent No. 6,067,525). Applicants respectfully traverse this rejection.

Claim 24, as amended, is directed to a supply chain network comprising one or more site data appliances with one or more types of data source equipment, one or more site servers coupled to the one or more site data appliances, and one or more data centers coupled to the one or more data appliances. The data center maps information collected from the one or more types of data source equipment to event handlers for execution responsive to an event at the one or more types of data source equipment. Advantageously, a common set of event handlers execute responsive to disparate types of data source equipment implemented around a supply chain network. On the other hand, Cesar *et al.* discloses merely an isolated base station with varying types of RF tags, while Johnson *et al.* discloses no more than an isolated computer with integrated subsystems involved in a sales process.

A. Cesar et al.

Cesar *et al.* discloses an isolated base station that communicates with various tags having different memory structures. Namely, a plurality of types of RF tags 131, 141 carry directory or tag type numbers which determines the layout of information in the tag memory. *See* Abstract. The lone base station 100, in communication with the RF tags 131, 141, includes a computer 102, a memory 104, and a single receiver/transmitter 106. Fig. 2.

However, Applicants submit *Cesar et al.* fails to suggest or disclose the invention as described in claim 24. Foremost, *Cesar et al.* is not directed to a supply chain network. The entire disclosure of *Cesar et al.* addresses an isolated base station 100 and how it communicates with RF tags 131, 141. Figures 7A and 7B, rather than illustrating a network of interconnected distribution points, illustrate a “hierarchical approach of software tag type memory mapping.” 3:16-17. For example, a good can contain memory information relevant to a food store 748, wherein the food store is a supermarket 766, and wherein the supermarket carries non perishables 778. In other words, the interconnections between blocks 748, 766, and 778 indicate different levels of a common hierarchy rather than lines for networked communication. *Cesar et al.*, in merely disclosing an isolated base station 100, provides no centralization or coordination of different types of data supply equipment. Thus, *Cesar et al.* is not directed to a supply chain network, and fails to suggest or disclose the same.

Second, whereas claim 24 recites a site data appliance capable of having with different types of data source equipment to read tags on goods, *Cesar et al.*, discloses a base station 100 with a single receiver/transmitter 106 to read RF tags 131, 141. *See e.g.*, Fig. 1. Therefore, *Cesar et al.* does not address how to configure a base station 100 to communicate with different types of receivers and/or transmitters. It follows that *Cesar et al.* does not collect specification information or event information, characteristics that makes data source equipment unique, from different types of data source equipment. Furthermore, varying RF tags 130, 140 are not comparable to varying data source equipment, as RF tags 131, 141 are different devices used to perform different functions in a different manner. Also, the variation in RF tags 131, 141 of *Cesar et al.* refers mainly to differences in their memory structures. *See e.g.*, 12:38-58 (“The tag type would then reflect which manufacturing details were recorded and where they were stored in the tag memory”). Thus, *Cesar et al.* fails to suggest or disclose a site data appliance having different types of data source equipment.

Third, whereas claim 24 recites a site server that gathers information from several site data appliances, *Cesar et al.* fails to disclose a site server. Indeed, *Cesar et al.* fails to disclose any apparatus hierarchically above the isolated base station 100. Thus, there is

no device to gather event information about more than one base station 100. Moreover, the site servers of claim 24 are functionally distinct from the base station 100 of Cesar *et al.*, since the base station 100 is only privy to local configuration information and cannot perform centralized event execution with respect to several site data appliances having different types of data source equipment. Thus, Cesar *et al.* does not suggest or disclose one or more site servers.

Fourth, whereas claim 24 recites a data center that gathers information from several site servers, Cesar *et al.* fails to disclose a data center since it fails to even disclose a site server as discussed. Nor can the memory 104 of Cesar *et al.* perform the functions of the data center as the memory 104 is part of the base station itself 100 and the data center of claim 24 can centralize communication to numerous site servers. The data center of claim 24, unlike Cesar *et al.*, also maps event handlers to event information from the different types of data source equipment, allowing the data center to uniformly execute event handlers across site servers and site data appliances. Thus, Cesar *et al.* fails to suggest or disclose a data center.

B. Johnson *et al.*

Johnson *et al.* does not cure the deficiencies of Cesar *et al.* Johnson *et al.* discloses an isolated computer that uses an event manager 201 to integrate subsystem components of a salesperson support system. More specifically, the computer “facilitates the sale of an item or service by intelligently integrating into a single system tools used by a salesperson in the sales process.” 1:5-9. An event manager provides “integration of the components of the system.” 8:34-37. Additionally, “[t]he computer automatically detects the occurrence of an event and determines the context in which an event occurs. The computer further automatically initiates an operation using another subsystem of the computer to facilitate a new event based on the context in which the first event occurred.” 2:40-43. Exemplary subsystems facilitate the sales process with pre-sales lead generation, maximizing time spent with the customer, and ensuring customer satisfaction. See Abstract. Thus, Johnson *et al.* provides a single computer to manage events in the sales process.

However, Applicants submit that Johnson *et al.* fails to suggest or disclose disclose the invention as described in claim 24. Rather than being directed to a supply chain network, Johnson *et al.* is directed to an isolated computer used by a single salesperson. The subsystems of Johnson *et al.* represent parts of the computer rather than geographically dispersed distribution points of goods. Whereas claim 24 recites a supply chain network that allows information to be accessed at different parts of the network, only the sales person using the computer in Johnson *et al.* can access information. Therefore, Johnson *et al.* does not solve the problems addressed by claim 24.

Moreover, the event information of claim 24 relates to different types of data source equipment, whereas the events of Johnson *et al.* relate only to subsystems of a sales process. Johnson *et al.* does not disclose a site data appliance to collect event information, a site server to gather specification information across data appliances and a data center to generate a mapping of event information across site servers. Instead, Johnson *et al.* relies on consistency in subsystems for recognizing new events in the context of familiar events, and cannot adapt event information to new configurations or events. Therefore, Johnson *et al.* does not suggest or disclose event information related to different types of data source equipment.

Because neither Cesar *et al.* nor Johnson *et al.* disclose the features of independent claim 24 either alone or in combination with each other or other non-cited prior art, Applicant respectfully submits that claim 24 is patentably distinct over the prior art. Furthermore, independent claims 31, 38, and 39 recite similar limitations, and thus, are patentable for at least the same reasons as claims 24. Since claims 25-30, 32-37, and 40-45 depend from claims 24, 31, 38, and 39, in addition to being patentable on separate grounds (e.g., creating a Description Document), these claims are also patentable.

CONCLUSION

In sum, Applicant respectfully submits that claims 24-45, as presented herein, are patentably distinguishable over the prior art of record. Therefore, Applicants request reconsideration and allowance of these claims.

In addition, Applicant respectfully invites Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

RESPECTFULLY SUBMITTED,
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By: _____

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